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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,862	03/24/2004	Andrew Lee Thompson	871-011717-US(PAR)/300206	5482
2512	7590	06/14/2005	EXAMINER DUONG, THO V	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			ART UNIT 3743	PAPER NUMBER

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No. 10/807,862	Applicant(s) THOMPSON ET AL.	
	Examiner Tho v. Duong	Art Unit 3743	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Receipt of applicant's amendment filed 3/31/2005 is acknowledged. Claims 1-10 are pending.

#### ***Response to Arguments***

Applicant's arguments filed 3/31/2005 have been fully considered but they are not persuasive. Applicant's argument that both Hamano and Yan fail to disclose the heat sink being pivoted by the insertion of the equipment module such that a surface of the heat sink is brought into contact with a surface of the equipment module, has been very carefully considered but is not found to be persuasive. Applicant further argues that as recited in claim 1, whereby it is the action of inserting the equipment module into the alignment means that causes the heat sink to be pivoted in such a way that a surface of the heat sink is brought into contact with a surface of the equipment module. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., whereby it is the action of inserting the equipment module into the alignment means...with a surface of the equipment module) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Since the examiner must give the claim their broadest reasonable interpretation, both reference to Hamano and Yan are considered to anticipate the claimed invention in which the pivoting of the heat sink is initiated by the insertion of the equipment module. Because of the insertion of the equipment module, a chain of actions are followed such as rotating the heat sink to open up a path for placing a new testing equipment module; removing the old equipment module; placing the equipment module into the socket and at last rotating the heat sinks into a closed position to lock

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the equipment module in place to complete the insertion of the equipment module. Without the insertion of the new equipment module, the heat sinks are not needed to be rotated. Therefore, both Hamano and Yan's heat sinks are considered to be pivoted by the insertion of the equipment module.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Hamano (US 6,366,463). Hamano discloses (figures 6,8,9,11 and column 6, lines 36-43) a heat sink arrangement configured to receive an equipment module (16), the heat sink arrangement comprising alignment means (21-1,21-2) to engage with the heat sink arrangement and a pivotable heat sink (21), the heat sink (21) being pivoted by the insertion of the equipment module such that a surface of the heat sink is brought into contact with a surface of the equipment module; the heat sink arrangement further comprises an aperture (socket 18) for receiving the equipment module and the pivotable heat sink (21) has a surface, which is inclined (vertically in a complete open position shown in figure 11) such that the surface that make contact with the equipment module is presented towards the aperture (18); the heat sink arrangement further comprises one or more faces having one or more protrusions (21-6); the heat sink is a gas cooling apparatus; the surface of the pivotable heat sink that make contact with the equipment comprises a material (21-3) that increase the diffusion of heat from the equipment

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module and the heat sink arrangement further comprises a heat pipe (22) for supporting the heat sink.

Claims 1-3 and 5-6 are rejected under 35 U.S.C. 102(a) as being anticipated by Yan et al. (US 6,447,322). Yan discloses (figures 1-3) a heat sink arrangement configured to receive an equipment module (12), the heat sink arrangement comprising alignment means (14) to engage with the heat sink arrangement and a pivotable heat sink (20), the heat sink (20) being pivoted by the insertion of the equipment module such that a surface of the heat sink is brought into contact with a surface of the equipment module; the heat sink arrangement further comprises an aperture (32) for receiving the equipment module and the pivotable heat sink (20) has a surface (42) which is inclined (vertically in a complete open position) such that the surface (42) that make contact with the equipment module is presented towards the aperture (32); the heat sink arrangement further comprises one or more faces having one or more protrusions (34,40); the heat sink is a gas cooling apparatus; the surface (42) of the pivotable heat sink comprises a material (22) that increase the diffusion of heat from the equipment module.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yan (US 6,447,322) in view of Garner et al. (US 5,822,187). Yan substantially discloses all of applicant's claimed invention as discussed above except for the limitation that a support structure such as a

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pivot pin (44) is a heat pipe. Garner discloses a heat dissipating assembly that has a pivot pin (20) is a heat pipe for the purpose of transferring heat between hinged devices so that heat is further dissipated from the heat source. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use Garner's teaching in Yan's device for the purpose of transferring heat between hinged devices so that heat is further dissipated from the heat source.

### *Allowable Subject Matter*

Claims 7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 7-10 use means plus function format, it give rises to the interpretation under 35 USC 112, par. 6 in light of and consistent with the written description of the invention in the application. In the disclosure, the "guide means for engaging with the alignment means of the heat sink arrangement" is pointed out as element (14).

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakamura et al. (US 2003/0032322A1) discloses a semiconductor device socket.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho v. Duong whose telephone number is 571-272-4793. The examiner can normally be reached on M-F (first Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Bennet can be reached on 571-272-4791. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tho v Duong  
Primary Examiner  
Art Unit 3743



TD  
June 6, 2005